




MINERALS PROGRAM INSPECTION REPORT
PHONE: (303) 866-3567

The Division of Reclamation, Mining and Safety has conducted an inspection of the mining operation noted below. This report documents observations concerning compliance with the terms of the permit and applicable rules and regulations of the Mined Land Reclamation Board.

MINE NAME: Turnpike Mining Resource	MINE/PROSPECTING ID#: M-2004-009	MINERAL: Sand and gravel	COUNTY: Weld
INSPECTION TYPE: Monitoring	INSPECTOR(S): Eric Scott	INSP. DATE: August 24, 2022	INSP. TIME: 11:30
OPERATOR: Asphalt Specialties Co., Inc.	OPERATOR REPRESENTATIVE: Greg Geras/David King	TYPE OF OPERATION: 112c - Construction Regular Operation	

REASON FOR INSPECTION: Citizen Complaint	BOND CALCULATION TYPE: None	BOND AMOUNT: \$1,114,000.00
DATE OF COMPLAINT: NA	POST INSP. CONTACTS: None	JOINT INSP. AGENCY: None
WEATHER: Clear	INSPECTOR'S SIGNATURE: 	SIGNATURE DATE: August 26, 2022

The following inspection topics were identified as having Problems or Possible Violations. OPERATORS SHOULD READ THE FOLLOWING PAGES CAREFULLY IN ORDER TO ASSURE COMPLIANCE WITH THE TERMS OF THE PERMIT AND APPLICABLE RULES AND REGULATIONS. If a Possible Violation is indicated, you will be notified under separate cover as to when the Mined Land Reclamation Board will consider possible enforcement action.

INSPECTION TOPIC: Hydrologic Balance

PROBLEM/POSSIBLE VIOLATION: Problem: Partial Blockage to the permitted "low water crossing" across Boulder Creek caused backup of water during a storm event onto the site. A portion of this flow eventually migrated off-site and likely contributed to standing water on an adjacent pastureland located north of the permit area.

CORRECTIVE ACTIONS:

- 1) Remove any obstructions to the low water crossing culverts and repair any damage so that this feature is fully functional as designed.
- 2) Repair the previous dewatering discharge point on the west bank of Boulder Creek immediately upstream of the low water crossing so that water cannot easily migrate from creek onto the mine site during storm events.
- 3) Maintain vegetation where possible along the banks of Boulder Creek to prevent future obstructions to the low water crossing during storm events.

The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 9/30/22

INSPECTION TOPIC: Permit Boundary Markers

PROBLEM/POSSIBLE VIOLATION: Problem: The affected area boundary markers are missing or incorrectly placed. This is a problem for failure to maintain boundary markers around the affected area as required by

Section 3.1.12(2) of the rule.

CORRECTIVE ACTIONS: The operator shall conduct a survey and replace the boundary markers in the correct location(s). The operator shall provide proof to the Division that this has been done by the corrective action date.

CORRECTIVE ACTION DUE DATE: 9/30/22

INSPECTION TOPIC: Revegetation

PROBLEM/POSSIBLE VIOLATION: Problem: There are state-listed noxious weeds present on site (Tamarisk). This is a problem for failure to employ weed control methods for state listed noxious weed species within the permitted area, and to reduce the spread of weeds to nearby areas as required by Section 3.1.10 (6) of the rule.

CORRECTIVE ACTIONS: Implement approved weed control plan and provide proof to the Division that this has been done. If a weed control plan is not already in place, the operator shall develop a weed control and management plan in accordance with Section 3.1.10 (6) of the Rule. This plan should be developed in consultation with the county extension agency, or weed control district office and should include specific control measures to be applied, a schedule for when control measures will be applied and a post-treatment monitoring plan. This weed control plan shall be submitted to the Division as a Technical Revision to the approved plan with the appropriate Technical Revision fee of \$216.00 by the corrective action date.

CORRECTIVE ACTION DUE DATE: 10/31/22

GENERAL INSPECTION TOPICS

The following list identifies the environmental and permit parameters inspected and gives a categorical evaluation of each

(AR) RECORDS-----	<u>NA</u>	(FN) FINANCIAL WARRANTY-----	<u>NA</u>	(RD) ROADS-----	<u>NA</u>
(HB) HYDROLOGIC BALANCE-----	<u>PB</u>	(BG) BACKFILL & GRADING-----	<u>Y</u>	(EX) EXPLOSIVES-----	<u>NA</u>
(PW) PROCESSING WASTE/TAILING----	<u>NA</u>	(SF) PROCESSING FACILITIES-----	<u>NA</u>	(TS) TOPSOIL-----	<u>NA</u>
(MP) GENL MINE PLAN COMPLIANCE--	<u>Y</u>	(FW) FISH & WILDLIFE-----	<u>NA</u>	(RV) REVEGETATION----	<u>PB</u>
(SM) SIGNS AND MARKERS-----	<u>PB</u>	(SP) STORM WATER MGT PLAN----	<u>NA</u>	(RS) RECL PLAN/COMP--	<u>NA</u>
(ES) OVERBURDEN/DEV. WASTE-----	<u>NA</u>	(SC) EROSION/SEDIMENTATION---	<u>NA</u>	(ST) STIPULATIONS-----	<u>NA</u>
(AT) ACID OR TOXIC MATERIALS-----	<u>NA</u>	(OD) OFF-SITE DAMAGE-----	<u>Y</u>		

Y = Inspected / N = Not inspected / NA = Not applicable to this operation / PB = Problem cited / PV = Possible violation cited

Inspection Contact Address

Greg Geras/David King
Asphalt Specialties Co., Inc.
10100 Dallas St.
Henderson, CO 80640

OBSERVATIONS

On Friday, August 19, 2022, DRMS received a citizen complaint via email from Mr. Jason Kingery. Mr. Kingery stated in his complaint that during a recent storm event, storm-water in Boulder Creek had been backed up by a partial failure of the vehicle crossing located in the Turnpike Mining Resource site. He also stated that this storm-water had been redirected and was flowing north across the mine site, eventually flooding a pasture located on his property. DRMS contacted Mr. Kingery to let him know that his complaint had been received. DRMS then contacted Asphalt Specialties, the permittee of the Turnpike Mining Resources site. DRMS spoke with Greg Geras and David King of Asphalt Specialties. They informed DRMS that there had been a partial obstruction of the culverts in the permitted low water crossing due to vegetation in Boulder Creek. The partial obstruction had resulted in some backup of the creek flows into the mine site, but that the obstruction had already been removed, the culverts cleared, and that water was no longer flowing across or leaving their site. During this conversation, DRMS scheduled a site inspection for Wednesday August 24, to follow up on the complaint and determine if additional corrective action(s) would be necessary.

Mr. Kingery provided a link to drone video footage of the area following his complaint. The footage provided clearly showed a partial obstruction of the low water crossing within the Turnpike Mining Resource site. This appeared to be causing some water to back up into the site from the west bank of the creek immediately upstream of the crossing, rather than passing through the crossing or over the spillway of the crossing as intended. At the time the video was taken, water had filled the remaining excavation west of Boulder Creek (which is currently being backfilled for reclamation). The water leaving the excavation appeared to be re-entering the creek near the north permit boundary at the pumping discharge point. However, the video showed a large area of standing water in the properties north of the permitted area, including Mr. Kingery's property.

On August 24, Eric Scott and Michael Cunningham of DRMS met with Greg Geras and David King of Asphalt Specialties at the Turnpike site at approximately 11:00. DRMS inspected the area around the low water crossing, documented its condition (photo 1), and observed a previous dewatering discharge point on the west bank of Boulder Creek where water had entered the site (photo 2). There was very little standing water observed on the site during the inspection. Asphalt Specialties stated that dewatering of the previously flooded excavation was initiated the morning after the flooding, although one of the two pumps remained submerged at the time of the inspection. DRMS noted that during the flooding event, water likely also flowed north into adjacent properties near the pumping discharge point (photos 3 and 4). This may have contributed, in part, to flooding on the adjacent properties. The corrective actions listed in this report, in addition to continued proper maintenance of the low water crossing and spillway by the permittee, are intended to prevent this issue in the future.

From the permittee's property, DRMS observed the condition of the adjacent Kingery pasture. Vegetation was left behind on the lower strand of the property fencing in the SE corner of the pasture. This appeared to be the lowest point of the property, where surface water would have left the pasture flowing back to Boulder Creek. This indicates that water had reached a depth of approximately 12 inches at some point, although no standing water was present at the time of the inspection. DRMS also noted that the pasture area of the Kingery property has a small area of persistent standing water within it which was also observed in historic air photos (photo 5), and that the ground surface of the pasture area is very near in elevation to the groundwater pond located immediately to the south. This indicates that the normal static water levels are very near the ground surface in this area. The pasture area of the Kingery property is also within the current floodplain and the revised regulatory floodway of Boulder Creek, and lies within an area that has been classified as having a >4%-10% chance of annual flooding as shown on the <https://coloradohazardmapping.com/> website.

Also during this inspection, DRMS noted that some noxious weed species (such as Tamarisk) were becoming established in areas of the site, and that the required permit boundary markers needed to be replaced in some areas. These items have been cited as problems with corrective action due dates at the beginning of this report.

PHOTOGRAPHS



Photo 1 – Condition of Boulder Creek low water crossing culverts on upstream side at time of inspection.



Photo 2 – Incised former dewatering discharge point on west bank of creek immediately upstream of crossing where water overflowed into site.



Photo 3 – Pumping discharge point on north end of remaining excavation where water exited site.



Photo 4 – Property line on north end of site near pumping discharge point where water appears to have flowed off-site.



Photo 1 – Persistent standing water area in Kingery pasture. No other standing water at time of inspection.

